THE HON'BLE MR. JUSTICE

V.V.S. RAO

W.P.No. 19935 of 2005

Dated: Monday, the 17th day of October, 2005

Between:-

Bhushanaveni Gangadhar

--Petitioner

And

The Joint Collector, Nizamabad District and four others.

--Respondent (s)

This Court, at the stage of admission, made the following:

Oral order:-

This writ petition is filed questioning the proceedings dated 12-05-2005 of the 2nd respondent passed under Section 5 (5) of the Andhra Pradesh Rights in Land and Pattedar Pass Books Act, 1971 (Act No. 26 of 1971) (herein-after called 'the Act') whereby and whereunder the 2nd respondent ordered cancellation of amendment of entries in record of rights in respect of land in survey No.204/AA ad-measuring Acs.4-0½ gt., in favour of the 5th respondent herein. The petitioner herein purchased the said land from the 5th respondent and, therefore, he filed the present writ petition.

On 28-09-2005, this court stayed the proceedings of the 2nd respondent only on the ground that the 2nd respondent did not issue any notice either to the 5th respondent or to the petitioner herein. This is a curable defect and instead of keeping the matter pending, I deem it appropriate to set aside the impugned order passed by the 2nd respondent and remit the matter to him for fresh consideration.

The petitioner and the 5th respondent herein shall appear before the 2nd respondent on 07-11-2005 with a copy of this order without waiting for any further notice from the office of the 2nd respondent. As and when they do so, the 2nd respondent shall hear the matter and pass appropriate orders within a period of two weeks thereafter. Till then, there shall be status quo obtaining as on today.

The writ petition is, accordingly, disposed of. No costs.

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V.V.S. RAO, J

Dated: 17-10-2005

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